

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ZOSTAVAX (ZOSTER VACCINE : MDL NO. 2848
LIVE) PRODUCTS LIABILITY :
LITIGATION :

THIS DOCUMENT RELATES TO:
DONALD THERING, et al.

v.

MERCK & CO., INC., et al.

CIVIL ACTION NO. 18-20226

PRETRIAL ORDER NO. 203

AND NOW, this 30th day of August, 2019, for the
reasons set forth in the accompanying memorandum, it is hereby
ORDERED that:

(1) The motion of plaintiff to add a claim for
wrongful death is DENIED;

(2) Peter Thering may file within 30 days from the
date of this order proper documentation that demonstrates he is
the personal representative of Donald Thering's estate under New
York law;

(3) The court will grant the motion for leave to
amend if Peter Thering timely files such documentation; and

(4) The court will deny the motion and dismiss the
complaint with prejudice if Peter Thering does not timely file
such documentation.

BY THE COURT:

Lawrence Bartlett
J.